

9228. Adulteration and misbranding of Anchor dairy feed. U. S. * * * v. Globe Elevator Co., a Corporation. Plea of guilty. Fine, \$150. (F. & D. No. 12342. I. S. No. 12813-r.)

On October 24, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Globe Elevator Co., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 2, 1918, from the State of New York into the State of Massachusetts, of a quantity of Anchor dairy feed which was adulterated and misbranded. The article was labeled in part, "Anchor Dairy Feed * * * Globe Elevator Co. Buffalo, New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 11.25 per cent of protein and 2.23 per cent of fat. Examination by said Bureau showed that it contained a corn by-product, cottonseed meal, and ground screenings, with no linseed meal present.

Adulteration of the article was alleged in the information for the reason that a product low in protein and fat, and which contained no linseed oil meal, had been substituted in whole or in part for a product which contained $13\frac{1}{2}$ to 15 per cent of protein, 3 per cent of fat, and which contained linseed oil meal, which the article purported to be.

Misbranding was alleged for the reason that the statement, "Protein $13\frac{1}{2}$ to 15 per cent. Fat 3 per cent. * * * Ingredients:—* * * Linseed Oil Meal," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than $13\frac{1}{2}$ per cent of protein and 3 per cent of fat, and that it contained linseed oil meal, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $13\frac{1}{2}$ per cent of protein and 3 per cent of fat, and that it contained linseed oil meal, when, in truth and in fact, said article did not contain $13\frac{1}{2}$ per cent of protein or 3 per cent of fat, but did contain a less amount, and contained no linseed oil meal.

On January 4, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*

9229. Adulteration of canned salmon. U. S. * * * v. 397½ Cases of Canned Salmon * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond for sorting. (F. & D. No. 12897. I. S. No. 10105-t. S. No. W-640.)

On July 30, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and thereafter an amended libel, praying the seizure and condemnation of 397½ cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Waterfall, Alaska, on September 29, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co., Seattle, Wash., U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.